

GOVERNOR'S OFFICE OF EMERGENCY SERVICES

LAW ENFORCEMENT AND VICTIM SERVICES DIVISION

3650 SCHRIEVER AVENUE MATHER, CALIFORNIA 95655 (916) 324-9216



March 7, 2008

TO: PROJECT DIRECTORS

Violence Against Women Vertical Prosecution Program

RE: Request for Application

The Governor's Office of Emergency Services (OES), Law Enforcement and Victim Services Division, is pleased to announce the release of the Violence Against Women Vertical Prosecution Program (VV) Request for Application (RFA) for fiscal year (FY) 2008/09.

The grant period will begin July 1, 2008 and end June 30, 2009. The total amount available for this program is approximately \$1,815,000. OES makes these funds available through federal Violence Against Women Act (VAWA) S*T*O*P Formula Grant Program. Please note, funding is contingent on availability of the federal funds, successful project performance, and compliance with the grant award agreement.

To receive funding, OES should receive the application or it be postmarked by Thursday, May 1, 2008. Instructions for mailing the application are included in the RFA. OES designed this document to be interactive electronically with fill-able forms. Users will be able to complete and print forms using Adobe Reader 7.0, however will be unable to save their completed forms without Adobe Acrobat 7.0.

Should you have questions, please feel free to contact me at (916) 324-9216.

Sincerely,

Signature on file

LORI SUZANNE NOSANOW Victim Justice Section Chief





3650 SCHRIEVER AVENUE MATHER, CALIFORNIA 95655 (916) 323-1569

Application Cover Sheet

RFA PROCESS

VIOLENCE AGAINST WOMEN VERTICAL PROSECUTION PROGRAM (VV)

Submitted by: (Place name, address, and phone number of applicant here.)

VIOLENCE AGAINST WOMEN VERTICAL PROSECUTION PROGRAM REQUEST FOR APPLICATION

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Recipient Handbook, Appendices, and Forms, or paste the following link into your browser:

www.oes.ca.gov/Operational/OESHome.nsf/CJPDHome?OpenForm

APPLICATION CHECKLIST AND REQUIRED SEQUENCE

APPLICATION COVER SHEET

GRANT AWARD FACE SHEET AND INSTRUCTIONS

PROJECT CONTACT INSTRUCTIONS AND INFORMATION

SIGNATURE AUTHORIZATION AND INSTRUCTIONS

CERTIFICATION OF ASSURANCE OF COMPLIANCE

PROJECT NARRATIVE

APPLICATION BUDGET - BUDGET NARRATIVE

BUDGET FORMS (Excel spreadsheet format) – With %Match

Personal Services – Salaries/Employee Benefits

Operating Expenses

Equipment

NON-COMPETITIVE BID JUSTIFICATION

NONCOMPETITIVE BID REQUEST

OUT OF STATE TRAVEL REQUEST

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VIOLENCE AGAINST WOMEN VERTICAL PROSECUTION PROGRAM REQUEST FOR APPLICATION

PART I – INFORMATION

A. <u>INTRODUCTION</u>

This Request for Application (RFA) provides the information and forms necessary to prepare an application for the Governor's Office of Emergency Services (OES) grant funds. The terms and conditions described in this RFA supersede previous RFAs and conflicting provisions stated in the *Recipient Handbook*. The *Recipient Handbook* provides helpful information for developing the application and can be accessed at the website www.oes.ca.gov by selecting "Recipient Handbooks."

All materials and publications (written, visual, or sound) resulting from award activities shall contain the following statements: This project was supported by Grant Number (to be determined) awarded by the Office on Violence Against Women (OVW), U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibit are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office of Violence Against Women.

Execution of this grant award is contingent upon the Governor's Office of Emergency Services' (OES) approval of all required grant documents, passage of the Federal and State Budget Acts, and past project performance. If the S*T*O*P Violence Against Women Formula Grant Program amount is less than anticipated, projects may see a reduction in funding and new budget pages will need to be submitted at a later date.

Annual VAWA STOP Report Requirement: In addition to OES required semi-annual Progress Reports, the U.S. Department of Justice's Office of Violence Against Women (OVW) requires all VAWA S*T*O*P recipients to complete the S*T*O*P Violence Against Women (VAW) Formula Grant Program Annual Progress Report for the preceding calendar year (January 1st – December 31st). Each year, the federal DOJ provides OES with the on-line link. You may obtain it by contacting your OES Program Specialist. Upon completion of data entry, please scroll to the end of the report and select "validate." The program will then review the data and identify any errors or "red flag" items. Once the report has been verified with no errors it must be submitted electronically, via e-mail, to the recipient's Program Specialist for review no later than January 31st. OES must then review and compile the data and incorporate it into the state's Final Report to OVW. Submission of the required data is essential for continued VAWA S*T*O*P funding for California. Questions regarding the completion of either the OES Progress Report or the S*T*O*P VAW Formula Grant Program Annual Report should be directed to the recipient's Program Specialist.

B. CONTACT INFORMATION

Questions concerning this RFA, the application process, or programmatic issues should be submitted to the below contact person by telephone, fax, or e-mail.

Dennis Hall, Program Specialist

Phone: (916) 323-1569 Dennis.Hall@oes.ca.gov

C. APPLICATION DUE DATE AND SUBMISSION OPTIONS

One original and one copy of the application must be delivered to OES' Law Enforcement and Victim Services Division by the date and time indicated below. Submission options are:

1. Regular and Overnight mail, **postmarked by Thursday, May 1, 2008**, to:

Governor's Office of Emergency Services Law Enforcement and Victim Services Division 3650 Schriever Avenue Mather, CA 95655

Attn: Violence Against Women Vertical Prosecution Program Dennis Hall. Victim Justice Section

2. Hand delivered by 5:00 p.m. on Thursday, May 1, 2008 to:

Governor's Office of Emergency Services Law Enforcement and Victim Services Division 3650 Schriever Avenue Mather, CA 95655

Attn: Violence Against Women Vertical Prosecution Program Dennis Hall, Victim Justice Section

D. <u>ELIGIBILITY</u>

To receive funding under this program, applicants must be currently operational and receiving OES grant funding for the Violence Against Women Vertical Prosecution (VV) Program.

E. FUNDS

1. Grant Period

The grant period funded by this application is for a twelve (12) month period beginning July 1, 2008 and ending June 30, 2009. The budget must reflect the full 12-month grant period.

2. Funding Source

The federal S*T*O*P (Services*Training*Officers*Prosecutors) Violence Against Women Formula Grant program, created by the Violence Against Women Act (VAWA), supports this program. The program is designed to promote a coordinated, multidisciplinary approach to improving the criminal justice system's response to violent crimes against women. The S*T*O*P Program encourages the development and strengthening of effective law enforcement and prosecution strategies. These strategies address violent crimes against women, and the development and strengthening of victim services in cases involving violent crimes against women. The federal Office of Violence Against Women clarified that the program does not prohibit male or minor victims of domestic

violence, dating violence, sexual assault and/or stalking from receiving benefits and services under this program.

3. Funding Amount

OES anticipates that there will be approximately **\$1,815,000** available to fund the VV Program in Fiscal Year (FY) 2008/09. Continuation funding is contingent upon approval of the FY 2007/08 State Budget Act, availability of federal VAWA S*T*O*P funds, and the project's continuing compliance with the terms of the program. Please refer to the Funding Chart below for your agency's funding allocation.

Allocations listed on the funding chart are provisional amounts based on last year's award. If the funding amounts change, you will be required to submit new budget pages.

4. Match Requirement

The federal funding source requires a 25% match, based on the Total Project Cost. The match may be either cash or in-kind contributions of services or goods. All matching funds (cash or in-kind) are restricted to the same uses as VAWA S*T*O*P grant funds. All match specified in the budget will become part of the grant award. The budget pages must clearly identify line-items designated as match.

Please note these funds must not be used to duplicate prosecutor's activities funded by the Spousal Abuser Prosecution Program authorized in Penal Code Sections 273.8-273.88, currently administered by the California Department of Justice.

Federal monies must not be used to meet the VAWA S*T*O*P match requirement for this grant.

RECIPIENT	AMOUNT	MATCH	TOTAL
Alameda County	\$140,000	\$46,667	\$186,667
Fresno County	\$110,000	\$36,667	\$146,667
Kern County	\$110,000	\$36,667	\$146,667
Los Angeles County	\$180,000	\$60,000	\$240,000
Nevada County	\$90,000	\$30,000	\$120,000
San Diego County	\$180,000	\$60,000	\$240,000
San Francisco County	\$110,000	\$36,667	\$146,667
San Joaquin County	\$110,000	\$36,667	\$146,667
Santa Barbara County	\$105,000	\$35,000	\$140,000
Santa Cruz County	\$105,000	\$35,000	\$140,000
Sutter County	\$90,000	\$30,000	\$120,000
Trinity County	\$90,000	\$30,000	\$120,000
Tulare County	\$105,000	\$35,000	\$140,000
Tuolumne County	\$90,000	\$30,000	\$120,000
Ventura County	\$110,000	\$36,667	\$146,667
Yolo County	\$90,000	\$30,000	\$120,000
TOTAL FUNDING	\$1,815,000	\$605,002	\$2,420,002

F. PROGRAM INFORMATION

1. Program Purpose/Description

Assisting victims is a key focus of many of OES' programs, and ensuring that perpetrators of crime are processed through the criminal justice system is part of a victim's road to recovery.

The prosecution of crimes against women, including sexual assault, domestic violence, stalking, and dating violence is the primary goal of the VV program. Vertical prosecution means the same prosecutor, who is specifically qualified in violence against women issues, is assigned to these cases from beginning to end, resulting in a higher rate of conviction and better services to the victim.

Vertical Prosecution has shown to improve conviction rates, reduce victim trauma, and provide more consistent, appropriate sentencing. Through program grants supporting "vertical prosecution", district and city attorneys are able to develop teams that specialize in the investigation and prosecution of crimes involving violence against women. Victims are able to work with the same prosecutor and investigator from the time charges are filed through the sentencing of the offender. Trained counselors/advocates also work with the victim to make the trial process less traumatic and overwhelming.

Projects may fund part-time or full-time qualified prosecutors and/or investigators with VV Program funds.

2. Unit Operations

Units receiving funds under this program must concentrate prosecution efforts and resources on individuals that are accused of serious crimes against women. In vertical prosecution units, the prosecutor or prosecution unit makes the initial filing or appearance in a case, and performs all subsequent court appearances on a particular case through to its conclusion including the sentencing phase. In addition, the unit is assigned highly qualified prosecutors and investigators to the specific category of cases, and the unit maintains a reduction of caseloads for its prosecutors and investigators.

Prosecutors and investigators funded by this program must be EXCLUSIVELY assigned to prosecute violations of violent crimes against women. These positions may be split funded ONLY when grant funds are insufficient to support fulltime staff positions.

Funded projects are required to establish a personnel rotation policy for vertical prosecution staff that demonstrates a commitment to stability and continuity of staff assignments.

3. <u>Degrees of Vertical Prosecution</u>

To allow for the realities of case management; such as scheduling conflicts, illness and extraordinary events, OES recognizes three degrees of vertical prosecution as follows:

a. True Vertical Prosecution

The same prosecutor files the charges, OR makes the first appearance (after the defendant is identified as meeting the necessary criteria) AND makes all subsequent court appearances through the sentencing stage.

b. Major Stage Vertical Prosecution

The same prosecutor files the charges, OR makes the first appearance (after the defendant is identified as an individual meeting the necessary criteria) AND all <u>significant</u> appearances, such as: preliminary hearing, trial, sentencing, contested motions affecting bail, admissibility of evidence, dismissal of charges, change of venue, motions to sever or consolidate, discovery, setting aside the verdict, or motions concerning search warrants.

c. <u>Unit Vertical Prosecution</u>

Based upon extraordinary circumstances (such as: court conflicts, scheduling conflicts requiring appearances at two or more places at one time, geographic location of hearing, illness or absence due to unavoidable circumstance), the principal prosecutor who filed the charges (OR made the first court appearance after the defendant was identified as an individual meeting necessary grant criteria) is assisted by no more than <u>one</u> other unit attorney. This back-up attorney must be designated for the entire grant award period.

4. Required Policies for Violence Against Women Vertical Prosecution Projects

Each District/City Attorney's office establishing a Violence Against Women Vertical Prosecution Unit and receiving a grant under this program shall adopt and pursue the following policies:

a. All reasonable prosecutorial efforts will be made to resist pre-trial release of a charged defendant meeting program priority selection criteria.

- b. Nothing in this application shall be construed to limit the application of diversion programs authorized by law. All reasonable efforts shall be made to utilize diversion alternatives in appropriate cases.
- c. All reasonable prosecutorial efforts will be made to reduce the time between arrest and disposition of charges against an individual meeting program priority criterion.
- d. All prosecutors and investigators funded (in full or in part) by this program shall maintain a reduced caseload.

OES requires all policies, addressing the topics identified in items 1-4 above, to be **in writing** and available to unit staff and OES. These policies must be reviewed periodically to ensure they reflect current practices.

5. Links to Other Programs

Applicants are required to obtain a current, signed Operational Agreement with the OES funded Victim/Witness Assistance program and, if applicable, the local Rape Crisis Center(s) and/or Domestic Violence Shelter(s).

Projects must actively and regularly participate in their city and/or county's violence against women interagency task force. Documentation of participation must be kept by the project. Meeting minutes identifying participants is the best method of documentation. If a project is in a county that does not have an existing interagency task force, OES encourages the project to develop those community partnerships.

G. PREPARING AN APPLICATION

Forms includes a link to an Application Cover Sheet. Please complete the Application Cover Sheet and attach it to the front of the application.

Please provide the twelve required application components in the order listed below:

- Application Cover Sheet;
- Grant Award Face Sheet (OES A301);
- Project Contact Information;
- Certification of Assurance of Compliance;
- Signature Authorization and Instructions;
- Project Narrative;
- Budget Narrative and the Project Budget (OES A303a-c);
- Project Service Information;
- Non-Competitive Bid Justification;
- Non-Competitive Bid Request;
- Computer and Automated Systems Purchase Justification Guidelines; and,
- Application Appendix (refer to Part II, C.).

VIOLENCE AGAINST WOMEN VERTICAL PROSECUTION PROGRAM REQUEST FOR APPLICATION

PART II – INSTRUCTIONS

The instructions in this section correspond to each of the application components and to the forms required to complete the application.

The applicant must use the forms provided in "Forms" (FORMS) and plain 8½" x 11" white paper for the application. The blank Project and Budget Narrative pages on the website have been preformatted to OES standards. If you create your own computer-generated Project and Budget pages, the format must duplicate the OES pre-formatted pages.

Copies of the application must be assembled separately and individually fastened in the upper left corner. **Do not bind application.**

A. PROJECT NARRATIVE

The project narrative is the main body of information describing the problem to be addressed, the plan to address the problem through appropriate and achievable objectives and activities, and the ability of the applicant to implement the plan.

1. Problem Statement

The project narrative is the main body of information describing the problem to be addressed, the plan to address that problem through appropriate and achievable objectives and activities, and the ability of the applicant to implement the plan.

2. Plan and Implementation

Plan: This section of the project narrative should present the project's plan to address the problem. Describe the elements required for plan development, such as goals, objectives, activities or timelines. All goals should have measurable results.

- Describe the process in which cases are referred to the unit, including the source of referrals.
- Describe the project strategies to develop linkages to increase the number of cases referred/prosecuted.
- Describe how the applicant will implement vertical prosecution within the unit.
- Describe how the project will ensure all victims are provided either direct services or referrals to appropriate victim service agencies.

Implementation: State each of the following mandatory objectives <u>on a separate page</u> and list the activities and projected numbers for each objective. Provide quantitative measures for each objective as well as details/steps necessary to achieve them.

<u>Objective A:</u> In keeping with the intent of the program, OES expected that your agency increased prosecution and conviction rates of violent crimes against women, including sexual assault, domestic violence, dating violence, and stalking as measured by the total number of defendants anticipated (or projected) to be prosecuted and/or convicted by the project during

during the first, second, third, and fourth years of funding. OES anticipates and expects these increases to continue to improve in the fourth year of funding.

Quantitative measure:

- Number of cases referred to VV Unit
- Number of cases in which charges were filed
- Number of cases in which an affirmative decision was made not to file charges

Objective B: Achieve vertical prosecution standards as measured by the number of VV cases to be prosecuted in each of the following categories: True; Major Stage; Unit.

Quantitative measure:

- Number of defendants prosecuted using True Vertical Prosecution
- Number of defendants prosecuted using Major Stage Vertical Prosecution
- Number of defendants prosecuted using Unit Vertical Prosecution

<u>Objective C</u>: Minimize trauma to victims of violent crimes as measured by direct services provided by advocates employed by the project or through referrals to local Victim/Witness Assistance Centers, Domestic Violence Shelters, or Rape Crisis Centers.

Quantitative measure:

- Number of victims who received services from an advocate paid for by this grant
- Number of victims who received referrals to local victim service agencies

Qualifications of Staff Assigned: Briefly describe the staffing required to carry out the grant objectives as supported by the proposed budget. Discuss position qualifications and responsibilities. *Current* resumes and duty statements must be maintained on site by the project for each staff person assigned to this project. Each position must be identified by staff name, percentage of time on grant, and duties performed. **Each staff person assigned to this grant must meet the following minimum selection standards**.

- PROSECUTORS must have at a minimum three years of experience in the prosecution
 of felony cases (for District Attorneys) and misdemeanor cases (for City Attorneys) within
 one or more of the VV specified crime categories AND attended or plan to attend (within
 nine months of the date of project participation) the California District Attorneys
 Association (CDAA) sponsored training in sexual assault, domestic violence, dating
 violence, and/or stalking.
- INVESTIGATORS must have at least three years of experience in the investigation of felonies involving one or more of the crime types listed above.
- VICTIM ADVOCATES must possess the required education/training as specified in Evidence Code Sections 1035.5-1036 (Domestic Violence) and/or 1037.1-1037.8 (Sexual Assault) and/or Penal Code Section 13835.10 (Victim/Witness).

B. PROJECT BUDGET

The purpose of the project budget is to demonstrate how the applicant will implement the proposed plan with the funds available through this program. Project costs must be directly related to the objectives and activities of the project. The budget must cover the entire grant period. In the budget, include *only* those items covered by grant funds, including match funds

when applicable. The applicant may supplement grant funds with funds from other sources. However, since approved line items are subject to audit, the applicant should not include in the project budget matching funds (if applicable) in excess of the required match. Budgets are subject to OES modifications and approval.

OES requires the applicant to develop a *line item* budget which will enable the project to meet the intent and requirements of the program, ensure the successful and cost effective implementation of the project. Failure of the applicant to include required items in the budget does not eliminate responsibility to comply with those requirements during the implementation of the project. The applicant should refer to the *Recipient Handbook* at www.oes.ca.gov. Select "*Recipient Handbooks*" for additional information concerning OES budget policy or to determine if specific proposed expenses are allowable. Contact the person listed on page 1-subsection B of this RFA should you have additional budget questions.

1. Specific Budget Categories

There is an Excel Workbook in "Forms" (FORMS) with spreadsheets for each of the following three budget categories:

- Personal Services Employee Salaries/Benefits;
- Operating Expenses; and
- Equipment.

The left column of each budget category on the Spreadsheet requires line item detail including the calculation and justification for the expense. Enter the amount of each line item and match in the correct column of the Budget Category form. The spreadsheet will add each addition and round off the nearest whole dollar. You may add extra rows if necessary, the spreadsheets total at the end of each budget category and total the three spreadsheets at the bottom of the last page (Equipment). The total of the budget including each funding source and/or match amount must correspond to the amount of the Total Project Cost (Block 10G) on the Grant Award Face Sheet.

The bottom of the Equipment Category form contains a format for identifying the project total and fund distribution. This section must be completed and submitted even if there are no line items identified in the equipment category.

a. Personal Services – Salaries/Employee Benefits (OES A303a):

1) Salaries

Personal services include services performed by project staff directly employed by the applicant and must be identified by position and percentage of salaries. These may be salaried or hourly, full-time or part-time positions. Sick leave, vacation, holidays, overtime, and shift differentials must be budgeted as salaries. If the applicant's personnel have accrued sick leave or vacation time prior to the approval of grant funding, they may not take time off using project funds. Salaries for staff not directly employed by the applicant must be shown as participating staff (see *Recipient Handbook*, Section 4500) the Operational Expenses Category. Consultant services remain under Operating Expenses (refer to Part II, B.2.b. - Operating Expenses - paragraph two.)

2) Benefits

Employee benefits must be identified by type and percentage of salaries. The applicant may use fixed percentages of salaries to calculate benefits. Budgeted benefits cannot exceed those already established by the applicant.

Employer contributions or expenses for social security, employee life and health insurance plans, unemployment insurance, and/or pension plans are allowable budget items. Benefits, such as uniforms or California Bar Association dues, are allowable budget items if negotiated as a part of an employee benefit package.

A line item is required for each different position/classification, but not for each individual employee. If several people will be employed full-time or part-time in the same position/classification, provide the number of full-time equivalents (e.g., three half-time clerical personnel should be itemized as 1.5 clerical positions).

b. Operating Expenses (OES A303b):

Operating expenses are defined as necessary expenditures other than personal salaries, benefits, and equipment. Such expenses may include specific items directly charged to the project, and in some cases, when permitted by the funding source, an indirect cost allowance. The expenses must be grant-related (e.g., to further the program objectives as defined in the grant award), and be encumbered during the grant period.

The following items fall within this category: consultant services such as subcontractors, participating staff who are not employed by the applicant, travel, office supplies, training materials, research forms, equipment maintenance, software equipment rental/lease, telephone, postage, printing, facility rental, vehicle maintenance, answering service fees, and other consumable items. Furniture and office equipment with an acquisition cost of less than \$5,000 per unit (including tax, installation, and freight) and/or with a useful life of less than one year fall within this category. Otherwise these fall under equipment expenses.

Salaries for staff not directly employed by the applicant must be shown as consultant and/or participating staff costs (whichever is applicable per *Recipient Handbook* Sections 3710 and 4500) under the Operating Expenses category. These costs must be supported by an Operational Agreement (OA), which must be kept on file by the recipient and made available for review during an OES site visit, monitoring visit, or audit. In the case of grants being passed through a recipient to be operated by another agency, the staff from the second agency will be shown in the Operating Expenses category.

c. Equipment (OES A303c):

Equipment is defined as nonexpendable tangible personal property having *a useful life of more than one year* and an acquisition cost of \$5,000 or more per unit (including tax, installation, and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers must be one line item, not three).

C. APPLICATION APPENDIX

The Application Appendix provides OES with additional information from the applicant to support components of the application. The following must be included:

- Operational Agreements: OAs must contain original signatures, titles, and agency names for both parties and include dates effective for the proposed grant period. This document must demonstrate a formal system of networking and coordination with other agencies and the applicant. A sample OA is provided in "Forms" (FORMS).
- Project Summary
- Noncompetitive Bid Request
- Out of State Travel Request, OES 700
- Emergency Fund Procedures
- Other Funding Sources
- Prior, Current, and Proposed OES Funding
- Project Service Area Information
- Computer and Automated Systems Purchase Justification Guidelines

VIOLENCE AGAINST WOMEN VERTICAL PROSECUTION PROGRAM REQUEST FOR APPLICATION

PART III – ADDITIONAL INFORMATION

The applicant is strongly encouraged to review the following sections in preparing the application.

- A. Finalizing the Grant Award Agreement
- B. Administrative Requirements
- C. Budget Policy
- D. Glossary of Terms

A. FINALIZING THE GRANT AWARD AGREEMENT

1. Standard Project Funding Authority

Allocation of funds is contingent on the enactment of the State Budget. OES does not have the authority to disburse funds until the budget is passed and the Grant Award Agreement is fully executed. Expenditures incurred prior to authorization are made at the project's own risk and may be disallowed. When the executed grant is received, and the State Budget is finalized, authorized expenditure reports may be submitted for reimbursement of expenditures incurred subsequent to the effective date of the grant award agreement.

If, during the term of the grant award, the state and/or federal funds appropriated for the purposes of the grant award are reduced or eliminated by the California Legislature or the United States Government, or in the event revenues are not collected at the level appropriated, OES may immediately terminate or reduce the grant award by written notice to the recipient. However, no such termination or reduction shall apply to allowable costs already incurred by the recipient to the extent state or federal funds are available for payment of such costs.

OES Grant Award Agreements are subject to applicable restrictions, limitations, or conditions enacted by the California Legislature and/or the United States Government, subsequent to execution of the Grant Award Agreement.

2. Processing Grant Awards

a. Grant Award Conditions

OES may add one or more grant award conditions to the Grant Award Agreement prior to or after funding. If conditions are added, they will be discussed with the applicant and a copy of the conditions will be sent to the grant recipient when the conditions are made part of the Grant Award Agreement. Grant award conditions may include requirements for sole source justification, a computer feasibility study, or other requirements deemed necessary by OES.

b. Grant Award Agreements

A copy of the executed Grant Award Agreement and pertinent attachments will be sent to the Project Director. The recipient is not authorized to incur costs against the grant until a copy of the fully executed Grant Award Agreement is received. When the executed grant is received and the State Budget is finalized, the Report of Expenditures and Request for Funds (OES 201) may be submitted for reimbursement.

c. Grant Award Amounts

When the amount of funds available is limited, OES may reduce the amount of the grant award from the amount requested by the applicant. In addition, OES reserves the right to negotiate budgetary changes with the applicant prior to executing the Grant Award Agreement. If either of these actions is required, OES will notify the applicant prior to executing the Grant Award Agreement.

B. <u>ADMINISTRATIVE REQUIREMENTS</u>

The Recipient Handbook (RH)

The Recipient Handbook is accessible on the OES Internet website at www.oes.ca.gov by selecting "Recipient Handbooks." The Recipient Handbook contains administrative information and requirements necessary to implement the project. Recipients must administer their grants in accordance with the Recipient Handbook requirements. Failure to comply with these requirements can result in the withholding or termination of the grant award.

The information below may be cross referenced with the *Recipient Handbook* (RH) by referencing the handbook section number.

1. <u>Internet Access (*RH* 11500)</u>

Funded projects are required to maintain Internet access with an established e-mail address. Grant funds may be used for this purpose unless specifically prohibited by the terms of the program.

2. Progress Reports and Data Collection (RH 10100)

Funded projects are required to participate in data collection and to submit progress reports required by the program. Projects are required to keep accurate records to document the information reported in the progress reports. The records must be kept by the project for a period of three years. During site/monitoring visits, OES will review these records for accuracy and compare them with the reported data submitted on the progress reports.

3. Monthly/Quarterly Report of Expenditures and Request for Funds (OES 201) (RH 6300))

Community-based organizations shall submit a monthly Report of Expenditures and Request for Funds (OES 201) unless they request a quarterly reporting period. Government and education agencies receiving funds will be required to report on a quarterly basis. This form is due within 30 calendar days of the end of the reporting period and must be submitted whether or not the project has incurred expenses. Delays in submitting the form OES 201 will result in the withholding of funds and may result in the recommendation to OES' Executive Director for termination of the grant award.

4. Technical Assistance/Site Visits (RH 10300)

Funding projects are assigned an OES program specialist to oversee the progress of the project in achieving its goals, objectives and compliance with the Grant Award Agreement. Program specialists are available to assist the project in the successful implementation of the project and in meeting the administrative requirements of the Grant Award Agreement. New projects should expect a site visit from the assigned program specialist within the first six months of the grant period. Follow-up site visits will be conducted periodically throughout the life of the grant. Projects may request a site visit to obtain technical assistance.

5. Monitoring Requirements (RH 10400)

A monitoring visit is an onsite assessment by OES staff to determine if the project is in compliance with the terms of the program, the Grant Award Agreement, the Program Guidelines, the RFA/RFP, and the *Recipient Handbook*. Projects will be monitored on a random or as-needed basis.

6. Bonding Requirements (RH 2160)

Private community-based organizations (CBO) and American Indian organizations are required to obtain and send to OES a notarized copy of a blanket fidelity bond or equivalent insurance contract applicable to officials and employees of OES-funded projects within 60 days of the signed Grant Award Agreement. Failure to comply with this requirement may result in the withholding of grant funds or termination of the Grant Award Agreement. The beneficiary named on the bond or an endorsement must include the "State of California, Governor's Office of Emergency Services" and include the Grant Award number for identification purposes.

The time period covered by the bond must include the effective date and time period of the grant, including extensions. The bond must be in an amount equal to 50 percent (50%) of the total grant award and may have a deductible in an amount not to exceed one percent (1%) of the bond.

A bond is not required of a recipient sponsored by units of government. CBOs sponsored by units of government may submit documentation indicating this in lieu of the bond or insurance contract, unless specifically required terms of the program or grant award conditions.

7. Audit Requirements (RH 8100)

Recipients must arrange for an independent audit of the grant award and may budget a portion of the audit costs. Instructions for budgeting funds for audit costs are outlined in the *RH* Section 2234.

8. Copyrights, Rights in Data, and Patents (RH 5300)

OES owns rights of and reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use, in whole or in part, material produced by activities supported by a Grant Award Agreement. These ownership rights are detailed in the *Recipient Handbook*.

9. Source Documentation (RH 10111)

Recipients are required to maintain source documentation to support claimed expenditures and project accomplishments. Source documentation is defined as records used to validate project activities and achievements as pertaining to the objectives outlined in the

Grant Award Agreement. Recipients are to retain source documentation for progress reports on a quarterly basis regardless of submission requirements. Requirements and definitions for program specific source documentation are delineated in the terms of the program. Recipients will be required to have written job descriptions on file for positions funded by OES detailing specific grant-related activities to achieve project objectives.

C. BUDGET POLICY

This document summarizes information on OES Budget Policy contained in the *Recipient Handbook*. Additional information may be obtained by accessing the *Recipient Handbook* at www.oes.ca.gov by selecting "*Recipient Handbooks*."

1. Supplanting Prohibited (RH 1313)

Grant funds must be used to supplement existing funds for program activities and **not replace** funds appropriated for the same purpose. A written certification must be provided to OES indicating the grant funds will not be used to supplant existing funds. Supplanting will be the subject of application review, post-award monitoring, and audit. The rules on supplanting are found in Section 1313 of the *Recipient Handbook*.

2. Project Income (RH 6610)

Project income such as client fees and fees for services provided by the project (i.e., training, presentations, etc.), asset forfeitures, profits from the sale of project products, and conference proceeds as the result of a direct trade of time or products for money, must be used to offset or augment the grant unless otherwise specified in the RFA instructions. Project income cannot be used as matching funds unless otherwise specified in the RFA instructions.

3. Contracts and Procurement (RH 3400)

A competitive bid process is required to purchase equipment or consultant services with grant funds. Noncompetitive bid contracts are disfavored. Noncompetitive bid request approval by OES program staff is required prior to the purchase of equipment in excess of \$5,000, or to hire a specific consultant charging over \$5,000. Local units of government may use their approved procurement policy except for contracts over \$50,000, which requires prior OES approval. For organizations without a written procurement policy, a competitive bid process involves determining the specifications for the items needed and obtaining at least three bids from different vendors. Whenever a specific individual/organization name is identified in the project budget, a noncompetitive bid request will be required. OES will provide assistance in submitting a noncompetitive bid request if OES determines it is in the best interest of the project. These procedures do not apply to funds shared with participating agencies under the terms of an Operational Agreement (see Section 4500, *Recipient Handbook*).

4. Match Policies (RH 6500)

The RFA Instructions (Part II) may specify a cash or in-kind match. When used to augment the project, expenditures for items such as Personal Services, Operating Expenses, or Equipment are considered match if not in violation of the prohibition on supplanting. Match specified in the budget will become part of the grant award. (Specific instructions for calculating the match are provided in Sections 6550 – 6550.2 of the *Recipient Handbook*.)

5. Travel Policies

The following is OES' current travel policy:

a. Selection of Travel Policy (RH 2236)

The applicant may prepare the budget using its own travel policy or the state travel policy according to the following guidelines. Travel reimbursement will only be allowed based on actual costs.

1) Units of Government

Units of government may use their own written travel policy or the state policy.

2) Community-Based Organizations (CBO)

A community-based organization may use the state travel policy or the applicant's written policy up to the maximum rates allowed by the state travel policy.

b. State Travel Policy (RH 2236.2)

Use the following state travel policy for budgeting travel expenses:

1) Out-of-State Travel

Out-of-state travel is restricted and only allowed in exceptional situations. Requests for approval for out-of-state travel must be submitted for OES approval.

2) Mileage

When a privately owned vehicle is utilized on project-related business, a maximum of 50.5 cents per mile is allowed, unless a higher rate is justified. Documentation justifying a higher rate must be on file and available for audit, but should not be submitted with the application.

3) Meals and Incidentals

a) Breakfast \$6.00

Breakfast may be claimed when travel commences at or prior to 6:00 a.m. Breakfast may be claimed on the last fractional day of a trip of more than 24 hours if travel terminates at or after 8:00 a.m.

b) Lunch \$10.00

Lunch may not be claimed for travel less than 24 hours. Lunch may be claimed if the trip begins at or before 11:00 a.m. and may be claimed on the last fractional day of a trip of more than 24 hours if the travel terminates at or after 2:00 p.m.

c) Dinner \$18.00

Dinner may be claimed if the trip begins at or before 4:00 p.m. Dinner may be claimed when travel terminates at or after 7:00 p.m., whether on a one-day trip or on the last day of a trip of more than 24 hours.

d) Incidentals \$6.00

Incidentals may be claimed for trips of 24 hours or more.

e) Total Per Diem

Total is \$40.00 for a 24-hour period.

4) Lodging

The maximum allowed lodging rate is \$84.00, plus applicable taxes (except as noted below). Lodging receipts are required for reimbursement.

5) Special Lodging Rates

The maximum allowed lodging rate in Los Angeles and San Diego counties is \$110, plus applicable taxes. The maximum for Alameda, San Francisco, San Mateo, and Santa Clara counties is \$140, plus applicable taxes.

6) Other

Taxi, airport shuttle, etc. which exceed \$3.50 must be supported by receipt. Parking in excess of \$10.00 must be supported by receipt.

6. Participating Staff

The term "participating staff" refers to salaried employees of a participating agency assigned to work with the recipient on the implementation of project. The agreement between the recipient and the participating agency concerning participating staff must be reflected in the OA. Grant related costs associated with participating staff must be itemized in the operating expenses category of the grant budgets.

7. Consultant Services (RH 3710)

Consultant services are provided on a contractual basis by individuals or organizations not direct employees of the applicant (see *Personal Services – Salaries*). Independent contractors must not be used in lieu of employees. Independent contractors are defined as individuals or organizations meeting some or all of the following criteria:

- produce a specific product or service;
- work independently without direct supervision from the applicant;
- work on specific projects;
- provide services for a limited number of hours or period of time; and/or.
- have no agency management or oversight responsibilities directed toward the financial success or direction of the agency.

a. Rates

The maximum rate for independent contractors is \$250 per hour (excluding travel and subsistence costs). A request for compensation for over \$250 per hour requires *prior approval* and additional justification.

1) Independent Contractors Employed by State and Local Government

Compensation for independent contractors will be allowed when the unit of government can not provide services without this cost. In these cases, the rate of compensation is not to exceed the daily salary rate paid by the unit of government.

b. Expert Witness Fees (RH 3710.2)

Projects, which routinely utilize "expert witnesses" as independent contractors to conduct evaluations and provide expert testimony in the courtroom, may budget for this expense. However, the project may only be charged for costs above what the jurisdiction is required to cover. The maximum allowable rate for witness fees is \$250 per hour up to \$2,000 per day. The total amount budgeted for expert witness fees must not exceed ten percent (10%) of the project's total budget. Requests for proposed expert witness costs must be accompanied by written justification indicating the following:

- qualifications, training, and experience of the expert(s). Include a statement regarding recognition by the court of the individual as an expert;
- specialized certification/licensure [e.g., Masters in Social Work (MSW); Licensed Clinical Social Worker (LCSW), Marriage and Family Therapist (MFT), Medical Doctor (MD)];
- rate of pay per hour, including documentation of a survey of the availability of similar consultants, the current "going rate," and the proposed rate of pay with a cost breakdown if expert is paid according to services (e.g., mileage, waiting time, court testimony);
- proposed services to be provided (e.g., analysis of forensic evidence, psychological evaluation);
- justification for why this cost cannot be paid with county funds (attach the justification to OES A303b).

8. Facility Rental (RH 2232)

Up to \$21 per square foot annually (\$1.75 per square foot per month) is allowed for facility rental. If the rental cost for office space exceeds this rate, it must be consistent with the prevailing rate in the local area. This documentation must be on file and available for audit and should not be submitted with the application.

a. Rental Space for Training and Counseling Rooms

Rental space for training and individual and/or group counseling rooms may also be charged to the grant providing the charge is based on actual costs and not reimbursed by other source.

9. Rented or Leased Equipment (RH 2233)

An explanation and cost analysis is required when equipment rented or leased. This analysis must demonstrate it is more cost-effective to rent or lease the equipment than it is to purchase it, and must be approved by OES prior to the execution of a rental or lease agreement.

10. Indirect Costs/Administrative Overhead (RH 2220)

Indirect costs are those not readily itemized or assignable to a particular project, but necessary to the operation of the organization and the performance of the project. The costs of operating and maintaining facilities, accounting services, and administrative salaries are examples of indirect costs. Flat rates not exceeding ten percent (10%) of personnel salaries (excluding benefits and overtime) or five percent (5%) of total direct project costs (excluding equipment) may be budgeted by the applicant for indirect costs if allowable by the funding source.

11. Audits (RH 8150)

OES projects expending \$25,000 or more of OES grant awards are required to complete and audit. The project may budget for the cost of obtaining a financial audit. Allowable audit costs are as follows:

- if the total amount of the grant is less than or equal to \$150,000, the project may budget up to \$2,000 for the financial audit cost; or
- if the total amount of the grant is greater than \$150,000, the project may budget up to one and a half percent (1.5%) of the total grant for financial audit costs.

12. Equipment (*RH* 2300)

Equipment is defined as nonexpendable tangible personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit (including tax, installation and freight).

A line item is required for each different type of equipment, but not for each specific piece of equipment (e.g., three laser jet printers should be one line item, not three).

a. Allowable Expenses

Equipment may be budgeted if it is essential to the implementation of the project and to be used solely for project activities. Grant funds may not be used to reimburse the project for equipment already purchased.

Rented or leased equipment must be budgeted as an Operating Expense. Lease-to-purchase agreements are generally not allowable. If a lease-to-purchase is requested, the project will be required to submit justification, including cost-effectiveness. Prior approval by OES is required.

b. Computers (*RH* 2340)

1) Community-Based Organization (*RH* 2242.1)

Community-based organization may budget up to \$25,000 in computer equipment, software, and related costs. OES will evaluate the proposed purchase on the basis of grant-related need. Prior approval by OES is required. The Recipient will be sent instructions for preparing the justification.

2) Units of Government (RH 2342.2)

Units of government may budget for computer equipment, software, and related costs. OES will evaluate the proposed purchase on the basis of grant-related need. OES must give approval prior to purchase. If federal grant funds totaling in excess of \$100,000 are used for automated data processing purchases, prior

federal approval is also required. The Recipient will be sent instructions for preparing the justification.

3) Computer Purchase Justification (RH 2341)

Approval for purchases of computers and automated equipment is contingent on the applicant's ability to demonstrate cost-effective, project-related need which is best demonstrated by clearly relating each computer system or component to the grant objectives and activities. The Recipient will be sent instructions for preparing the justification.

c. Automobiles (RH 2331)

Automobiles are not allowable items unless permitted by the terms of the program. If an automobile is included in the budget, substantial justification demonstrating the grant-related need will be required before finalization of the Grant Award Agreement. The justification must describe the need for the automobile, including the size of service area, the need to provide direct service away from the office, and the reason why the agency will not allow personal automobiles usage during work hours. A cost analysis for automobile purchase as compared to other options including lease and personal automobile use and mileage, must be done and kept on file for review by OES's program staff during a site visit, monitoring visit, and/or audit.

13. Prohibited Expense Items (RH 2240)

a. Lobbying (*RH* 2242)

Refer to RH 2242.1 for an extensive list of prohibited activities.

b. Fundraising (RH 2243)

OES grant funds cannot be used for organized fundraising including financial campaigns, endowment drives, solicitation of gifts and bequests, or similar expenses incurred solely to raise capital or obtain contributions.

c. Real Property and Improvements (RH 2244)

Real property including land, land improvements, structures and their attachments, and structural improvements and alterations are not allowable expenditures unless authorized in the RFA instructions.

d. Interest (RH 2245)

The cost of interest payments is not an allowable expenditure unless the cost is a result of a lease/purchase agreement.

e. Food and Beverages (RH 2246)

The cost of food and/or beverages at grant-sponsored conferences, meetings, or office functions is not an allowable expenditure.

f. Weapons and Ammunition (RH 2247)

The cost of weapons and/or ammunition of any type are not an allowable expenditures unless they are part of a governmental negotiated benefit package or are specifically authorized in the RFA instructions.

g. Membership Dues (RH 2248)

The cost of membership dues for the licensing or credentialing of professional personnel is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFA instructions.

h. Professional License (RH 2248)

The cost of a professional license is not an allowable expenditure unless specifically authorized in the RFA instructions.

i. Annual Professional Dues or Fees (RH 2248)

The cost of professional dues or fees are not allowable expenditures unless it is part of a governmental negotiated benefit package or are specifically authorized in the RFA instructions.

j. Charges, Fees and Penalties (RH 2245)

Finance charges, late payment fees, penalties, and returned check charges are not allowable expenditures.

k. Depreciation (RH 2249)

Equipment costs may not include additional costs calculated for depreciation.

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GLOSSARY OF TERMS

The specific steps or actions that a project takes to achieve a measurable objective.
The agency or organization designated on the Grant Award Face Sheet who is the programmatic Recipient of the grant funds and will accomplish the planned <u>objectives</u> and program goals (e.g., County of Alameda, City of Fresno, State Department of Justice, Fairfield Youth Services Bureau). The Recipient was formerly referred to as the "Grantee".
Once selected for funding, the original proposal plus any additional forms as required by OES becomes the application. This application, once signed by OES and the local government agency or organization authorized to accept grant funding, becomes the Grant Award/Grant Award Agreement.
Code of Federal Regulations
A nonprofit, public benefit corporation.
A contract process used when all suppliers are equally or nearly equally qualified to provide the services.
A comprehensive plan that analyzes the agency's workforce and all agency employment practices to determine their impact on the basis of ethnicity and gender.
Extensive description of state and federal civil rights requirements and what constitutes an EEOP (samples, forms, etc.). The document was prepared to assist Recipients in ensuring nondiscrimination and in the development, implementation, and/or improvement of their EEOP for compliance with the law.
The signed final agreement <u>application</u> between OES and the local government agency or organization authorized to accept grant funding. (See <u>Application</u> .)
The number of years a <u>program</u> may be funded without competition. A funding cycle is typically three years.
The period of time, determined by the Request for Proposal (RFP) or the Request for Application (RFA), which the project narrative, <u>objectives</u> , activities, and budget cover. The time period is usually one year, and is shown on the Grant Award Face Sheet (OES A301).

TERM	DEFINITION
Implementing Agency	The agency or organization designated on the Grant Award Face Sheet that is responsible for the day-to-day operation of the project (e.g., probation department, district attorney, sheriff).
Monitoring Report Response Form	Form sent to the Recipient with the Monitoring report. The form is completed by the Recipient and returned to the OES Monitoring and Audit Branch indicating the Monitoring Report is accurate or inaccurate as of the date of the Monitoring.
Noncompetitive Bid (NB)	A contract for goods or services, where only a single source that can provide the services or goods is afforded the opportunity to offer a price for the specified services or goods. (Contracts sometimes include goods as well as services, and this definition will also apply to those circumstances.)
Nonprofit Organization (aka Community Based Organization)	A nonprofit, public benefit corporation as defined in the federal regulation of 28 C.F.R. Part 38, Department of Justice. This modifies the need to be recognized by the Internal Revenue Service as a 501 (c) (3) for recipients of Faith-based Organizations. All organizations may qualify for nonprofit status using any one of the four following methods:
	(1) Proof that the Internal Revenue recognizes the applicant has the status of a 501 (c) (3).
	(2) A statement from a State taxing body or the State secretary of state certifying that (i) the Organization is a nonprofit organization operating within the State; and (ii) No part of its net earnings may lawfully benefit any private shareholder or individual:
	(3) A certified copy of the applicant's certificate of incorporation or similar document that clearly establishes the nonprofit status of the applicant; or
	(4) Any item described in (1) through (3) if that item applies to a State or national parent organization, together with a statement by the State of parent organization that the applicant is a local nonprofit affiliate.
Objectives	A set of quantifiable projections to be carried out in order to accomplish the program goals.
On Site	Refers to the location of operation of the grant award recipient. If multiple sites exist, the site that provides the project recipients with program direction qualifies as the "on site location."

TERM	DEFINITION
Operational Agreement (OA)	A formal agreement between two or more agencies, which specifies the responsibilities of each agency in implementing the project. The term Operational Agreement also includes documents entitled Memorandum of Understanding, Letters of Intent, or other titles, but which serve the same purpose.
Participating Agency	An organization that receives grant funds through an Operational Agreement to participate in achieving the goals of a project. The participating agency must be a unit of government or a community-based organization.
Participating Staff	A salaried employee of a Participating Agency
Program	A specific set of goals and objectives established pursuant to legislative, congressional, or administrative action identifying an unmet need of the criminal justice system or victim services and supported by a set appropriation from state or federal funding sources.
Project	The implementation of a Program by a Recipient. The project includes all of the grants implemented by the Recipient under that Program regardless of the year of implementation.
Proposal	The packet of forms and narrative as requested by the RFP and submitted to OES that specified the priorities, strategies, and objectives of the applicant.
Recipient Handbook	This handbook outlines the terms and conditions required of grant projects. Funded projects must administer their grants in accordance with these administrative and fiscal conditions. The Recipient Handbook is accessible on the internet website at www.oes.ca.gov under "Recipient Handbooks." The Recipient Handbook was previously called the "Grantee Handbook".
Request for Application (RFA)	The RFA is a noncompetitive process issued by OES to obtain applications from applicants previously selected for funding.
Request for Proposal (RFP)	The Request for Proposals is issued by OES to solicit competitive proposals in order to select projects for funding.
Single Source	This term has been replaced by the term "noncompetitive bid".
Sole Source	This term has been replaced by the term "noncompetitive bid".
Source Documentation	Records that validate project activities and achievements as they pertain to the objectives outlined in the Grant Award Agreement.

TERM	DEFINITION
Supplanting	To reduce federal, state, or local funds because of the existence of OES funds. Supplanting occurs when a Recipient deliberately replaces its non-OES funds with OES funds, thereby reducing the total amount available for the stated purpose.
Terms of the Program	The applicable Program Guidelines, application requests [Request for Proposal (RFP)/Request for Application (RFA)], grant award agreement, OES policy statements, and applicable statutes. In the event the terms of the program are inconsistent with the provisions of this handbook, the terms of the program shall be interpreted and construed as superseding the provisions of this handbook.
USC	United States Code





3650 SCHRIEVER AVENUE MATHER, CALIFORNIA 95655 (916) 323-1569

Application Cover Sheet

RFA PROCESS

VIOLENCE AGAINST WOMEN VERTICAL PROSECUTION PROGRAM (VV)

Submitted by: (Place name, address, and phone number of applicant here.)

VIOLENCE AGAINST WOMEN VERTCAL PROSECUTION PROGRAM REQUEST FOR APPLICATION

PART III - FORMS

CHECKLIST AND REQUIRED SEQUENCE

This checklist is provided to ensure a complete application is submitted to OES. The required forms may be acquired by selecting the FORMS link below, by going to www.oes.ca.gov and selecting Recipient Handbook, Appendices, and Forms, or by pasting this link into your browser:

www.oes.ca.gov/Operational/OESHome.nsf/CJPDHome?OpenForm

FORMS

APPLICATION COVER SHEET
GRANT AWARD FACE SHEET – Signed by the official authorized to enter into Grant Award Agreement.
PROJECT CONTACT INFORMATION – Must be submitted with the Grant Award Face Sheet.
SIGNATURE AUTHORIZATION AND INSTRUCTIONS – Signatures of the Project Director and Fiscal Officer are required.
CERTIFICATE OF ASSURANCE OF COMPLIANCE – Signed by the official who signed the Grant Award Face sheet and by the official delegating the authority.
PROJECT NARRATIVE Problem Statement Plan and Implementation
PROJECT BUDGET Budget Narrative (if applicable) Budget Forms – OES A303a, A303b, A303c
 APPLICATION APPENDIX Operational Agreement Summary Form Project Summary Noncompetitive Bid Request Out of State Travel Request, OES 700 (if applicable)

Computer and Automated Systems Purchase Justification Guidelines